IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 01.02.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice N.PAUL VASANTHAKUMAR

Writ Appeal No.3043 of 2002

Dhala Kuppuswamy Rebello
Partnership Firm, rep. by its
Partner Y.Gopalakrishnan,
59, Ormes Road, Kilpauk,
Chennai-10. ... Appellant/Petitioner

Vs.

1.Velu

2.The Special Deputy
Commissioner of Labour,
4th floor, Teynampet,
Chennai-6. ... Respondents

Writ appeals filed under Clause 15 of the Letters Patent against the order dated 09.09.2002 in WMP No.51601 of 2002 in W.P.No.34594 of 2002. Filed under Article 226 of the constitution of India praying for issue of a writ of certiorari quasing the order of the 2nd respondent dated 24.7.2002 in TSE 1/16/2001.

For Appellant : Ms.S.Deepika

For 1st respondent : Mr.R.Neethi Perumal

For 2nd respondent : Mr.P.Subramanian,
Government Advocate

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

The above writ appeal is directed against the order dated 09.09.2002 made in WMP No.51601 of 2002 in W.P.No.34594 of 2002```, in and by which, a Division Bench of this Court, while

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granting stay in respect of backwages, imposed certain conditions.

2. It is brought to our notice that the order of the learned single Judge came to be stayed by the Division Bench on 03.10.2002. When the stay application in WAMP No.5079 of 2002 came up for further hearing on 17.09.2003, after recording the fact that the appellant-Management has reinstated the concerned employee-the first respondent herein, confirmed the earlier order of stay and disposed of the stay petition.

3. In view of the above factual position, though we are of the view that there is no merit in the writ appeal, we are not inclined to go into the said aspect. Instead we are of the view that ends of justice would be met by listing the writ petition itself for final disposal. Accordingly, the Registry is directed to post W.P.No.34594 of 2002 before the concerned Court dealing with the subject on 05.03.2007.

4. The writ appeal is disposed of on the above terms. No costs.

raa

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Special Deputy
Commissioner of Labour,
4th floor, Teynampet,
Chennai-6.

2. The Section Officer, Writ Section,
High Court Madras 104
(With a direction to post WP.No.34594 of 2002
on 5.3.2007)

+ 1 cc to Ms. K. J. Rebello Advocate SR No. 5939
+ 1 cc to the Government Pleader, SR No.6103

GM(CO)
SR/7.2.2007 W.A.No.3043 of 2002

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